

(l) Diesel fuel shall be stored and handled in accordance with the requirements of §§ 75.1902 through 75.1906 of this part as of November 25, 1997.

**§ 75.1907 Diesel-powered equipment intended for use in underground coal mines.**

(a) As of November 25, 1996 all diesel-powered equipment used where permissible electrical equipment is required must be approved under part 36 of this chapter.

(b) Diesel-powered equipment approved under part 36 of this chapter must be provided with additional safety features in accordance with the following time schedule:

(1) As of April 25, 1997 the equipment must have a safety component system that limits surface temperatures to those specified in subpart F of part 7 of this title;

(2) As of November 25, 1999 the equipment must have an automatic or manual fire suppression system that meets the requirements of § 75.1911 of this part, and at least one portable multipurpose dry chemical type (ABC) fire extinguisher, listed or approved by a nationally recognized independent testing laboratory and having a 10A:60B:C or higher rating. The fire extinguisher must be located within easy reach of the equipment operator and be protected from damage by collision.

(3) As of November 25, 1999 the equipment must have a brake system that meets the requirements of § 75.1909 (b)(6), (b)(7), (b)(8), (c), (d), and (e);

(4) As of November 25, 1997 a particulate index and dilution air quantity shall be determined for the equipment in accordance with subpart E of part 7 of this chapter; and

(5) Permissible diesel-powered equipment manufactured on or after November 25, 1999 and that is used in an underground coal mine shall incorporate a power package approved in accordance with part 7, subpart F of this chapter.

(c) As of November 25, 1999 nonpermissible diesel-powered equipment, except the special category of equipment under § 75.1908(d), shall meet the requirements of §§ 75.1909 and 75.1910 of this part.

**§ 75.1908 Nonpermissible diesel-powered equipment; categories.**

(a) Heavy-duty diesel-powered equipment includes—

(1) Equipment that cuts or moves rock or coal;

(2) Equipment that performs drilling or bolting functions;

(3) Equipment that moves longwall components;

(4) Self-propelled diesel fuel transportation units and self-propelled lube units; or

(5) Machines used to transport portable diesel fuel transportation units or portable lube units.

(b) Light-duty diesel-powered equipment is any diesel-powered equipment that does not meet the criteria of paragraph (a).

(c) For the purposes of this subpart, the following equipment is considered attended:

(1) Any machine or device operated by a miner; or

(2) Any machine or device that is mounted in the direct line of sight of a job site located within 500 feet of such machine or device, which job site is occupied by a miner.

(d) Diesel-powered ambulances and fire fighting equipment are a special category of equipment that may be used underground only in accordance with the mine fire fighting and evacuation plan under § 75.1101-23.

**§ 75.1909 Nonpermissible diesel-powered equipment; design and performance requirements.**

(a) Nonpermissible diesel-powered equipment, except for the special category of equipment under § 75.1908(d), must be equipped with the following features:

(1) An engine approved under subpart E of part 7 of this title equipped with an air filter sized in accordance with the engine manufacturer's recommendations, and an air filter service indicator set in accordance with the engine manufacturer's recommendations;

(2) At least one portable multipurpose dry chemical type (ABC) fire extinguisher listed or approved by a nationally recognized independent testing laboratory with a 10A:60B:C or higher rating. The fire extinguisher